

CENTER FOR DISABILITY ACCESS
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Attorney for Plaintiff **Nehemiah Kong**

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

Nehemiah Kong,
 Plaintiff,

v.

Brenda Sue Getty, in individual and
 representative capacity as trustee of the
 Richard J. Getty Living Trust Agreement;
Richard A. Getty, in individual and
 representative capacity as trustee of the
 Richard J. Getty Living Trust Agreement;
 and Does 1-10,

Defendants.

) Case No.: 2:18-CV-09321-MWF-JDE

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**Declaration of Bradley Smith in Support
 of Plaintiff's Motion to Compel.**

DECLARATION OF BRADLEY SMITH

1. I am licensed to practice law by the State Bar of California. I am Plaintiff's attorney, and I am familiar with this case. Based on my knowledge and experience, I can attest to the following facts.

2. On May 20, 2019, Plaintiff propounded Set-One Discovery upon Defendants Brenda Sue Getty and Richard A. Getty. Set-One Discovery consisted of Requests for Production of Documents, Interrogatories, and Requests for Admissions.

1 **3.** Attached as Exhibit 1 is a true and correct copy of the Proof of Service for Set-One
2 Discovery.

3 **4.** Responses to Set-One Discovery were due on June 24, 2019.

4 **5.** On July 16, 2019, I sent a letter to Defense Counsel to meet and confer under Local
5 Rule 37-1.

6 **6.** Attached as Exhibit 2 is a true and correct copy of the meet and confer letter.

7 **7.** I have not received Defendants' responses to Set-One Discovery, nor have I received
8 a response from Defense Counsel to my meet and confer letter. As such, Defendants have not
9 meet their obligation to meet and confer under Local Rule 37-1. Accordingly, I am submitting
10 this motion without a Joint Stipulation pursuant to Local Rule 37-2.4.

11 **8.** My hourly billing rate is \$200.00.


12 **9.** I am seeking Rule 37 sanctions in the amount of \$1600 as follows:

13 Meet and Confer Attempts	1 Hour	\$200;
14 Motion Drafting	5 Hours	\$1000;
15 Reply to Opposition	2 Hours	\$400

16
17 I declare under penalty of perjury under the laws of the State of California and the United
18 States that the foregoing is true and correct.

19
20 Dated: October 2, 2019

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21
22 By: 
23 Bradley Smith
24 Attorney for Plaintiff